

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

**ALVERENE BUTLER,
Plaintiff,**

v.

**ALABAMA DEPARTMENT
OF TRANSPORTATION, et al.,
Defendants.**

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Civil Case No. 2:06-CV-278-MEF

RESPONSE TO THE DEFENDANT'S MOTION IN LIMINE

COMES NOW Plaintiff and would respond to the defendant's motions in limine as follows:

Plaintiff submits that the defendant's motions in limine are due to be denied. Plaintiff is unable to determine the legal basis for the said motions, as the motions were not briefed and no rule, case, statute or other authority was cited by the defendant in support of the motions.

Without knowing the legally sufficient reasons for the said motions, Plaintiff is not able to formulate a response.

Plaintiff submits that, pursuant to the Court's previous Orders, the motions are in impermissible form and are due to be stricken from the record.

The foregoing notwithstanding, Plaintiff presently has no intention to introduce any evidence of the Reynolds case, and has no intention of eliciting testimony from co-workers regarding Plaintiff's qualifications for the position of CE. Plaintiff does intend to introduce limited testimony regarding the fact that she complained against James Horace, and that Mr. Horace subsequently left the defendant's employ, as background for the ongoing animus that

discharged defendants Waits and Jackson showed toward her.

WHEREFORE, the premises considered, Plaintiff prays that the Court will overrule and deny the defendant's motions in limine.

RESPECTFULLY SUBMITTED this ____29th____ day of May, 2007.

/s/ JAY LEWIS
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ASB-2014-E66J

CERTIFICATE OF SERVICE

I hereby certify that on the _29th_ day of May, 2007, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following parties or counsel:

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